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Attorneys for Defendants

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

ALEXANDER D. MITTELL,

Plaintiff,

v.

PHD VIRTUAL TECHNOLOGIES,
INC., INSIGHT VENTURE
PARTNERS, THOMAS CHARLTON,
RICHARD WELLS, and MICHAEL
TRIPLETT,

Defendants.

Civil Action No. 2:11-1669 (FSH/PS)

Filed Electronically

STIPULATION AND PROPOSED ORDER

THIS MATTER having come before the Court upon the application of the undersigned counsel for Plaintiff, Alexander D. Mittell (“Plaintiff”), and the undersigned counsel for Defendants, PHD Virtual Technologies Inc., Insight Venture Partners, Thomas Charlton, Richard Wells, and Michael Triplett (collectively, “Defendants”), in the above-captioned matter, for the


entry of an Order continuing and rescheduling of the return date for the Motion to Dismiss from August 1, 2011 to August 15, 2011 and extending until August 8, 2011 the time within which Defendants may file a reply to Plaintiff's Opposition to Defendants' Motion to Dismiss or, Alternatively, to Administratively Terminate This Action ("Motion to Dismiss"); and the parties hereto having jointly stipulated to the continuation and rescheduling of the return date for the Motion to Dismiss from August 1, 2011 to August 15, 2011 in order to allow them time to engage in settlement discussions.

IT IS on this 21st day of July, 2011;

ORDERED as follows:

1. Defendants shall file a reply to Plaintiff's opposition to Defendants' Motion to Dismiss by August 8, 2011; and
2. The return date for the Motion to Dismiss is hereby set as August 15, 2011.

SO ORDERED.


HONORABLE FAITH S. HOCHBERG, U.S.D.J.

We hereby consent to the form and entry of the within Order:

<p>ALEXANDER D. MITTELL</p> <p>By: <u>/s/ Gerald B. Sweeney</u> Gerald B. Sweeney SWEENEY LEV, LLC 460 Bloomfield Avenue, Suite 200 Montclair, New Jersey 07042 (973) 509-1800</p>	<p>PHD VIRTUAL TECHNOLOGIES, INC., INSIGHT VENTURE PARTNERS, THOMAS CHARLTON, RICHARD WELLS, AND MICHAEL TRIPLETT</p> <p>By: <u>s/Liza M. Walsh</u> Liza M. Walsh Rukhsanah L. Lighari CONNELL FOLEY LLP 85 Livingston Avenue Roseland, New Jersey 07068 (973) 535-0500</p>
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